

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MALEEHA AHMAD)
)
and)
)
ALISON DREITH,)
)
on behalf of themselves and a class of)
similarly situated individuals,) No. 4:17-cv-2455
)
Plaintiffs,)
)
v.)
)
CITY OF ST. LOUIS, MISSOURI,)
)
Defendant.)

DECLARATION OF HEATHER DE MIAN

I, Heather De Mian, declare as follows:

1. I am over the age of 18. I have personal knowledge of the facts set forth in this declaration and could and would testify competently to those facts if called as a witness.
2. On the evening of September 29, 2017, I was observing and recording a march and protest in downtown St. Louis, Missouri. I was livestreaming. The march, which was nonviolent, was proceeding south on Broadway past Market.
3. The street had been blocked off by police.
4. At approximately 9:45 p.m., when I was near the intersection of Broadway and Spruce, I saw protestors running back north on Broadway toward Clark. I followed them since I was recording the protest.
5. I then heard by word of mouth that police had tazed a protestor toward the tail end of the march.

6. As I got closer to the intersection of Broadway and Clark, I saw St. Louis Metropolitan police officers holding Calvin Kennedy, whom I know personally.

7. I was livestreaming throughout the march and was livestreaming as I got closer to Mr. Kennedy and the police officers.

8. When I was some 30 feet from the officers, I began asking the police why they had used a taser on Mr. Kennedy. I was still livestreaming. There were other people, including protestors, between me and the officers holding Mr. Kennedy.

9. Without warning or dispersal order, St. Louis Metropolitan police officer William Olsten sprayed me with a chemical agent from my right side. Standing near Officer Olsten was Officer Marcin Zajac.

10. The chemical agent burned my eyes and caused me significant pain.

11. I did not commit any crime against any person or property, and I did not pose any threat to any person at any time.

12. There was no warning or dispersal order given before that point.

13. The officers did not provide me with any medical treatment.

14. I have Ehlers-Danlos Syndrome, and I use a wheelchair. My condition interferes with how I receive signals from my skin. Because of my condition, I was unable to get all the residue off of my skin for some time, so I experienced pain as a result of the chemical agent for several days.


15. There is still chemical residue on my wheelchair and my camera equipment.

16. I took the video attached to this declaration as a livestream, and it fairly and accurately depicts what I saw and experienced.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated this 2nd day of October, 2017.

By: _____

A handwritten signature in black ink, appearing to read 'Heather De Mian', written over a horizontal line.

Heather De Mian